

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**JAMARR HOLIDAY,**

**Defendant.**

**CASE NO. 8:06CR243**

**ORDER**

This matter is before the Court on the Defendant's notice of appeal (Filing No. 261) and the Defendant's motion to proceed in forma pauperis on appeal (Filing No. 262). The Defendant also filed a prisoner account statement (Filing No. 263).

On June 2, 2011, the Defendant was sentenced to 24 months imprisonment for violating his supervised release. He did not file an appeal. In October 2011, the Defendant filed a motion for release that was denied. On November 7, 2011, he filed a motion for relief from Judgment, which was denied. He now seeks to appeal from the order denying the motion for relief from Judgment.

These matters are "frivolous" within the meaning of 28 U.S.C. § 1915(e)(2)(B)(i), and therefore the Defendant is denied leave to proceed in forma pauperis on appeal.

IT IS ORDERED:

1. The Defendant's motion for leave to proceed in forma pauperis on appeal (Filing No. 262) is denied; and
2. The Court is directed to mail a copy of this order to the Defendant at his last known address.

DATED this 7<sup>th</sup> day of December, 2011.

BY THE COURT:

s/Laurie Smith Camp  
Chief United States District Judge